

MONDAY, MAY 10, 1999

TWENTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McDonald.

Representative McDonald led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Hassell; personal reasons.

Representative Langster; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 2: Rep(s). Towns as prime sponsor(s).

House Joint Resolution No. 101: Rep(s). Hood and Eckles as prime sponsor(s).

House Joint Resolution No. 136: Rep(s). Garrett as prime sponsor(s).

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House Bill No. 192: Rep(s). Walker, Turner (Hamilton), and Stulce as prime sponsor(s).

House Bill No. 1442: Rep(s). Brooks as prime sponsor(s).

House Bill No. 1444: Rep(s). Towns as prime sponsor(s).

House Bill No. 1445: Rep(s). Towns as prime sponsor(s).

MESSAGE FROM THE SENATE

May 7, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 386, 877, 1029, 1455 and 1784; also, Senate Joint Resolution(s) No(s). 212, 213, 214, 215, 217, 218, 219, 226 and 257 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1851; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 1851 -- Landlord and Tenant - Authorizes landlords to tow or otherwise remove certain vehicles from real property rented or leased for residential purposes for certain traffic, parking and nuisance violations; deletes present law on subject Amends TCA Title 55, Chapter 16 and Title 66, Chapter 28. by *Ramsey. (*HB1650 by *Williams (Williamson))

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Godsey was recognized in the Well to introduce the Sullivan Central High School girls' cross country team, TSSAA state champions.

RESOLUTION READ

The Clerk read House Joint Resolution No. 54 of the First Extraordinary Session honoring the team.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 12, 1999:

House Resolution No. 51 -- Memorials, Recognition and Thanks - Brenda Williams, "Gee, I Thought Nobody Noticed Award" recipient. by *Windle.

House Resolution No. 52 -- Memorials, Recognition - Claiborne Street Missionary Baptist Church, 40th Anniversary. by *Pruitt, *Briley, *Jones, S., *Garrett, *Robinson, *Arriola, *Odom, *Harwell.

House Resolution No. 53 -- Memorials, Professional Achievement - Emily Millsaps, Tennessee Teachers Hall of Fame. by *Mumpower.

House Joint Resolution No. 225 -- Memorials, Professional Achievement - Yvonne Becton, 1999 Victim Services Professional of the Year. by *Hargett.

House Joint Resolution No. 226 -- Memorials, Professional Achievement - William Glyn "Bill" Ramsey, Criminal Justice Professional of the Year Award recipient. by *Hargett.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1974 -- Blount County - Subject to local approval, Imposes additional \$35.00 litigation tax on each criminal case filed in general sessions and circuit courts. Amends Chapter 370 of the Private Acts of 1972. by *Kerr.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1975 and 1978 was/were referred to the Delayed Bills Committee.

***House Bill No. 1975** -- Annexation - Extends date for developing recommended growth plan, for submitting such plan for approval to county legislative body, and for approval by the local government planning advisory committee for Overton County. Amends TCA Title 6, Chapter 58, Part 1. by *Windle. (SB1969 by *Davis L)

***House Bill No. 1978** -- Taxes, Alcoholic Beverages - Increases tax on sale or distribution of liquor from \$4.00 to \$4.50 per gallon Amends TCA Title 57 and Title 67. by *McDaniel, *Boyer.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 127** -- Sunset Laws - Board of barber examiners, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 62, Chapter 3. by *Springer. (HB366 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 129** -- Sunset Laws - Board of funeral directors and embalmers, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 5. by *Springer. (HB362 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 436** -- Credit and Debit Cards - Prohibits public institutions of higher education from selling or distributing student lists to credit card issuers; prohibits credit card issuers from attempting to secure such lists. Amends TCA Title 49, Chapter 7. by *Dixon. (HB538 by *DeBerry L, *Bowers, *Brooks, *Givens, *Langster)

***Senate Bill No. 528** -- Trusts - Clarifies and formally recognizes practice whereby trustees may take action with written consent of beneficiaries. Amends TCA Title 35, Chapter 50, Part 1. by *Fowler. (HB911 by *Fowlkes, *Bone, *Sands, *Hood, *Newton)

***Senate Bill No. 593** -- Medical Occupations - Establishes council of licensed midwifery, with procedures and duties; defines licensure requirements and roles of certified nurse midwives and licensed midwives. Amends TCA Title 63 and Section 4-29-221. by *Ford J, *Springer, *Dixon, *Harper, *Ramsey. (HB565 by *Bowers, *DeBerry J, *DeBerry L, *Buck)

***Senate Bill No. 721** -- Taxes, Privilege - Authorizes commissioner of revenue to warn and report delinquent professionals; establishes that second violation grounds for suspension, and third or subsequent violation is grounds for revocation of any license or registration by appropriate licensing board. Amends TCA Title 67, Chapter 4, Part 17. by *Miller J. (HB1577 by *Newton)

Senate Bill No. 904 -- Contractors - Authorizes state board for licensing contractors to suspend or revoke license or renewal of license for failure of contractor to pay subcontractors in accordance with contracts or agreements between contractor and subcontractor. Amends TCA Title 62, Chapter 6. by *Rochelle. (*HB507 by *Head)

***Senate Bill No. 917** -- Business Organizations - Revises and makes technical corrections to LLC statute. Amends TCA Title 48. by *Rochelle, *Kyle. (HB992 by *Hargrove)

Senate Bill No. 946 -- Motor Vehicles - Decreases penalty for operation of a vehicle other than high occupancy vehicle in HOV lane from fine not to exceed \$50.00 to a fine not to exceed \$1.00. Amends TCA Section 55-8-188. by *Burchett. (*HB760 by *Buck)

Senate Bill No. 1227 -- Law Enforcement - Deletes language "publicly maintained" from definition of "highways" for purposes of driver license enforcement. Amends TCA Section 55-50-102. by *Haynes, *Harper. (*HB1030 by *Langster, *Jones, S.)

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***Senate Bill No. 1525** -- Landlord and Tenant - Establishes seven days as sufficient notice to evict a residential tenant who has not paid rent, done substantial damage to premises or if tenant's or tenant's family behavior adversely affects health or safety of other tenants, landlord or landlord's representative. by *Ramsey, *Miller J, *Crowe. (HB1422 by *Williams (Williamson))

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1972 -- Collierville -- Local Bill Held on House Desk

CAPTION BILLS REFERRED

May 7, 1999

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1676, held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 1676** -- Taxes -- House Finance, Ways and Means Committee

CAPTION BILLS REFERRED

May 10, 1999

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1284, 1387, 1361 and 1800, held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 1284 -- Racing -- House State and Local Government Committee

House Bill No. 1387 -- TennCare -- House Judiciary Committee

House Bill No. 1361 -- Boards and Commissions -- House State and Local Government Committee

House Bill No. 1800 -- Drugs -- House Health and Human Resources Committee

CONSENT CALENDAR

House Bill No. 1194 -- Correctional Programs - Replaces references to "department of correction" and "board of standards" with TRICOR regarding purchase of articles by public agencies. Amends TCA Section 41-22-119. by *Pinion, *McKee, *Bone. (*SB865 by *Kyle)

House Bill No. 1195 -- Purchasing - Clarifies that board of standards is to appoint representative from TRICOR board to advise in certification of articles for purchase by state government. Amends TCA Section 41-22-119. by *Pinion, *McKee, *Bone. (*SB255 by *Kyle)

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***House Joint Resolution No. 136** -- Highway Signs - "Jack Vaughn Parkway," portion of Briley Parkway. by *West, *Briley, *Langster.

House Joint Resolution No. 101 -- Naming and Designating - Margaret "Maggi" Britton Vaughn, Poet Laureate of Tennessee. by *Fowlkes, *Phillips.

House Bill No. 615 -- Judges and Chancellors - Allows chancellor serving fourth and fifth judicial districts to reside in either district. Amends TCA Section 16-2-506. by *Kerr. (*SB32 by *Clabough)

On motion, **House Bill No. 615** was made to conform with **Senate Bill No. 32**; the Senate Bill was substituted for the House Bill.

***House Bill No. 868** -- Animals - Authorizes state apiarist to require or supervise treatment or destruction of diseased bees and contaminated bee equipment and supplies. Amends TCA Section 44-15-207. by *Kerr, *Baird. (SB927 by *Clabough)

On motion, House Bill No. 868 was made to conform with **Senate Bill No. 927**; the Senate Bill was substituted for the House Bill.

House Bill No. 1181 -- Civil Procedure - Excludes damages from list of costs that court may assess against attorney of record relative to surety statute. Amends TCA Title 20, Chapter 12, Part 1. by *Buck. (*SB572 by *Person)

On motion, House Bill No. 1181 was made to conform with **Senate Bill No. 572**; the Senate Bill was substituted for the House Bill.

House Joint Resolution No. 121 -- Naming and Designating - "Emergency Preparedness Day," fourth Wednesday in September. by *Caldwell.

House Bill No. 1299 -- Jails, Local Lock-ups - Permits two or more counties to enter into interlocal agreements for jail or workhouse to serve agreeing counties; provides exception to requirement that jail or workhouse be located within county boundary; makes sheriffs' duties subject to interlocal agreement. Amends TCA Title 41, Chapters 2 and 4, and Sections 5-7-105 and 8-8-201. by *Curtiss. (*SB502 by *Rochelle, *Kyle)

On motion, House Bill No. 1299 was made to conform with **Senate Bill No. 502**; the Senate Bill was substituted for the House Bill.

House Bill No. 992 -- Business Organizations - Revises and makes technical corrections to LLC statute. Amends TCA Title 48. by *Hargrove. (*SB917 by *Rochelle, *Kyle)

***House Bill No. 975** -- Fees - Expands authority to demand appellate fees to any deputy clerk; reorganizes appellate court fees. Amends TCA Title 8, Chapter 21, Part 5. by *McMillan. (SB1229 by *Haynes)

On motion, House Bill No. 975 was made to conform with **Senate Bill No. 1229**; the Senate Bill was substituted for the House Bill.

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House Bill No. 1433 -- TennCare - Revives TennCare oversight committee statute; extends committee to 2004; clarifies definition of "MCO." Amends TCA Title 3, Chapter 15, Part 5. by *Jackson. (*SB1310 by *Herron, *Graves)

On motion, House Bill No. 1433 was made to conform with **Senate Bill No. 1310**; the Senate Bill was substituted for the House Bill.

House Bill No. 1531 -- Firearms and Ammunition - Makes files in possession of department of safety relating to handgun carry permits and bogus handgun carry permits confidential records. Amends TCA Section 10-7-504. by *Kisber. (*SB1572 by *Cooper)

On motion, House Bill No. 1531 was made to conform with **Senate Bill No. 1572**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 177** -- Memorials, Government Officials - Calls upon various entities of state and local government to work cooperatively to ensure that all Tennesseans, including minorities, achieve same high level of health. by *Pruitt, *Towns, *Bowers, *Brooks, *Brown, *DeBerry J, *DeBerry L, *Miller L, *Langster, *Cooper B, *Jones U (Shelby).

House Bill No. 1517 -- Bail, Bail Bonds - Abolishes provision prohibiting bondsman from acting as surety for five years if convicted of felony. Amends TCA Section 40-11-314. by *Buck. (*SB570 by *Person)

House Bill No. 1725 -- TennCare - Requires state comptroller to appoint TennCare prescription drug utilization review committee to make recommendations to MCOs and providers concerning prescriptions for certain enrollees. Amends TCA Title 56; Title 63 and Title 71. by *Eckles, *Rhinehart, *Head, *Kisber, *McMillan, *Turner (Hamilton). (*SB1733 by *Womack, *Herron)

***House Bill No. 893** -- TennCare - Requires bureau of TennCare to provide to comptroller on quarterly basis accounting of funds involved in pharmacy rebate program, including amount of funds received and bills. Amends TCA Title 71, Chapter 5, Part 1. by *Eckles. (SB935 by *Womack, *Herron)

***House Joint Resolution No. 205** -- Highway Signs - "Marie Hart Head Highway," State Highway 400, Carter County. by *Cole (Carter).

***House Bill No. 1850** -- Criminal Procedure - Authorizes governor or designee to consent to transfer of convicted criminal offenders in accordance with federal government treaties with foreign countries. Amends TCA Title 41. by *McKee, *McDaniel. (SB1771 by *Fowler, *Atchley)

House Bill No. 1295 -- Penal and Reformatory Institutions - Removes requirement that penitentiary give notice of release of inmate by pardon or parole; removes requirement that notice of release contain reason for inmate's release and date of expiration of inmate's parole; requires board of probation and parole to provide notice to certain officials if inmate's release due to commutation of sentence or granting of pardon by governor. Amends TCA Title 40, Chapter 28, Part 1 and Title 41, Chapter 21, Part 2. by *McKee. (*SB1421 by *Kyle)

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***Senate Joint Resolution No. 114** -- Highway Signs - "Nicholas P. Earnest Memorial Bridge," S.R. 351 spanning Nolachucky River in Greene County. by *Haun, *Williams.

***House Bill No. 1464** -- Firearms and Ammunition - Exempts retired law enforcement officer from requirement of successful completion of annual eight hour training program to continue carrying handgun under written directive. Amends TCA Section 39-17-1315. by *Todd, *Kent, *Westmoreland, *Cole (Carter). (SB1820 by *Crowe)

House Bill No. 1963 -- White County - Subject to local approval, enacts "White County Mobile Home Park Regulations." by *Curtiss. (SB1961 by *Elsea)

House Bill No. 1968 -- Lebanon - At request of special school district board, authorizes Lebanon special school district to issue \$6.5 million in bonds for school construction and improvements. Amends Chapter 330 of the Acts of 1901. by *Bone. (SB1960 by *Rochelle)

House Bill No. 1970 -- Hardin County - Subject to local approval, designates board of directors of Savannah Industrial Development Corporation to replace board of commissioners of Hardin County Port Authority. Amends Chapter 4 of the Private Acts of 1957. by *Rinks.

House Bill No. 1971 -- LaFollette - Subject to local approval, revises term and duties of mayor Amends Chapter 161 of the Private Acts of 1897. by *Baird.

House Resolution No. 50 -- Memorials, Interns - Justin V. Mull. by *Westmoreland, *Sargent, *Givens.

Senate Joint Resolution No. 229 -- Memorials, Death - Brock Speer. by *Haun.

Senate Joint Resolution No. 231 -- Memorials, Academic Achievement - Scotty Migliaccio, Salutatorian, Bible Baptist Academy. by *Kurita.

Senate Joint Resolution No. 232 -- Memorials, Academic Achievement - Dana Whitehead, second place, Letters About Literature contest. by *Burks.

Senate Joint Resolution No. 233 -- Memorials, Interns - Lora Henke. by *Ramsey, *Crowe.

Senate Joint Resolution No. 235 -- Memorials, Personal Achievement - Alecia Pleasant, State Future Farmers of America Prepared Public Speaking Career Development Contest. by *Crowe.

Senate Joint Resolution No. 241 -- Memorials, Academic Achievement - Alison Winstead, Heritage High School Salutatorian. by *Clabough.

Senate Joint Resolution No. 242 -- Memorials, Academic Achievement - Heidi Winstead, 1999 Heritage High School Valedictorian. by *Clabough.

Senate Joint Resolution No. 243 -- Memorials, Academic Achievement - Jenny L. Noseworthy, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 244 -- Memorials, Academic Achievement - Edwina Jeanette Booth, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

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Senate Joint Resolution No. 245 -- Memorials, Academic Achievement - Abby Elizabeth Jones, Gatlinburg-Pittman High School Valedictorian. by *Clabough.

Senate Joint Resolution No. 246 -- Memorials, Academic Achievement - Ryan Stargel, 1999 William Blount High School Salutatorian. by *Clabough.

Senate Joint Resolution No. 247 -- Memorials, Academic Achievement - Anthony Minutolo, William Blount High School Valedictorian. by *Clabough.

Senate Joint Resolution No. 248 -- Memorials, Academic Achievement - Brooke Suzanne Williams, Salutatorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 249 -- Memorials, Academic Achievement - Dustin E. Stokes, Valedictorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 250 -- Memorials, Academic Achievement - Kelly Ballard, 1999 Seymour High School Valedictorian. by *Clabough.

Senate Joint Resolution No. 251 -- Memorials, Academic Achievement - Sherrie "Danielle" Caylor, Valedictorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 252 -- Memorials, Academic Achievement - Barbara Thomas, Maryville High School Valedictorian. by *Clabough.

Senate Joint Resolution No. 253 -- Memorials, Academic Achievement - Justin D. Caughron, Maryville High School Salutatorian. by *Clabough.

Senate Joint Resolution No. 254 -- Memorials, Personal Achievement - LaKishia Goss, Boys and Girls Clubs of America's Tennessee Youth of the Year. by *Clabough.

Senate Joint Resolution No. 267 -- Memorials, Academic Achievement - April J'nene Carter, Salutatorian, Craigmont High School. by *Kyle.

Senate Joint Resolution No. 268 -- Memorials, Academic Achievement - Tara Noah, Salutatorian, Kingsbury High School. by *Kyle.

Senate Joint Resolution No. 269 -- Memorials, Academic Achievement - Irina Cortez, Valedictorian, Treadwell High School. by *Kyle.

Senate Joint Resolution No. 270 -- Memorials, Academic Achievement - Tandy Vu, Treadwell High School, Salutatorian. by *Kyle.

Senate Joint Resolution No. 271 -- Memorials, Academic Achievement - Laura Patrice Bufford, Valedictorian, Trezevant High School. by *Kyle.

Senate Joint Resolution No. 272 -- Memorials, Academic Achievement - LaTonya Shanell Jones, Salutatorian, Trezevant High School. by *Kyle.

Senate Joint Resolution No. 273 -- Memorials, Academic Achievement - Kimberly Nicole Jones, Salutatorian, Frayser High School. by *Kyle.

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Senate Joint Resolution No. 274 -- Memorials, Academic Achievement - Monica Renette Royal, Valedictorian, Frayser High School. by *Kyle.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 992: by Rep. Chumney

House Bill No. 1963: by Rep. Curtiss

Under the rules, House Bill(s) No(s). 992 and 1963 was/were placed at the foot of the calendar for May 12, 1999.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1193 -- Taxes, Personal Property - Establishes certain policies with respect to classification of property of water transportation carrier companies. Amends TCA Title 67, Chapter 5, Part 13 and Title 67, Chapter 5, Part 5. by *Kisber, *Walley. (*SB1459 by *Henry)

Further consideration of House Bill No. 1193 previously considered on April 26, 1999, at which time it was reset for today's Calendar.

On motion, House Bill No. 1193 was made to conform with **Senate Bill No. 1459**; the Senate Bill was substituted for the House Bill.

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Rep. Kisber moved that Senate Bill No. 1459 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Kisber moved that **Senate Bill No. 1459** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Bunch, Goins -- 2.

A motion to reconsider was tabled.

House Bill No. 985 -- Election Laws - Redesignates certain Class C misdemeanors as Class E felonies under election laws. Amends TCA Title 2, Chapter 19, Part 1. by *Hargrove, *DeBerry L, *Naifeh, *Langster. (*SB870 by *Burks)

Rep. Hargrove moved that House Bill No. 985 be passed on third and final consideration.

Rep. Hargrove moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 985 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-19-101, is amended by deleting the language "Class C misdemeanor" and substituting instead the language "Class A misdemeanor".

SECTION 2. Tennessee Code Annotated, Section 2-19-103, is amended by deleting the language "Class C misdemeanor" and substituting instead the language "Class A misdemeanor".

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SECTION 3. Tennessee Code Annotated, Section 2-19-111, is amended by deleting the language "Class C misdemeanor" and substituting instead the language "Class A misdemeanor".

SECTION 4. Tennessee Code Annotated, Section 2-19-115, is amended by deleting the language "Class C misdemeanor" and substituting instead the language "Class A misdemeanor".

SECTION 5. Tennessee Code Annotated, Section 2-19-134, is amended by deleting from subsection (c) the language "Class C misdemeanor" and substituting instead the language "Class A misdemeanor".

SECTION 6. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 985**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1328 -- State Government - Clarifies use of electronic mail by governmental agencies. Amends TCA Section 3-12-105 and Title 10, Chapter 7, Part 5. by *Hargrove. (*SB1539 by *Rochelle)

Rep. Hargrove moved that House Bill No. 1328 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1328 by adding the following at the end of the amendatory language of Section 1 of the printed bill:

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Such study shall be conducted by the Computer Subcommittee of the Joint Management Committee of the Tennessee General Assembly.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 1328**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 1444** -- Tennessee Bureau of Investigation - Exempts information and records involving Class B and Class C misdemeanors from TBI's expunged criminal offender and pretrial diversion database. Amends TCA Title 38, Chapter 6 and Title 40. by *Buck. (SB1726 by *Burchett)

Rep. Buck moved that House Bill No. 1444 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1444 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-15-105, is amended by inserting the following between the third and fourth sentences of subsection (e):

Provided, however the court shall not be required to send to the bureau a copy of any dismissal order dated on or after July 1, 1999 if the charge dismissed is classified as a Class B or C misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 40-35-313, is amended by inserting the following between the first and second sentences of subsection (c)(1):

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Provided, however the court shall not be required to send to the bureau a copy of any dismissal and expungement order dated on or after July 1, 1999 if the charge dismissed is classified as a Class B or C misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 40-32-101, is amended by inserting the following between the first and second sentences of subsection (d)(1):

Provided, however the court shall not be required to send to the bureau a copy of any expungement order dated on or after July 1, 1999 if the charge dismissed is classified as a Class B or C misdemeanor.

SECTION 4 Tennessee Code Annotated, Section 38-6-118 is amended by inserting the following at the end of the second paragraph of subsection (a):

Provided, however the bureau shall not be required to enter or maintain information in its database concerning any dismissal or expungement order dated on or after July 1, 1999 if the charge dismissed or expunged is classified as a Class B or C misdemeanor.

SECTION 5. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1444 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 40-32-101(d)(2), is amended by adding the following language after the first sentence of the subdivision:

Such fifty dollar (\$50.00) fee shall not apply to cases where there has been an acquittal, nolle prosequi, or dismissal for failure to prosecute or where the law does not require a copy of the expungement order be sent to the Tennessee bureau of investigation.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that **House Bill No. 1444**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1445 -- Criminal Procedure - Provides for expungement of public records concerning orders of protection that were denied by court upon petition to court having jurisdiction in such action. Amends TCA Title 36, Chapter 3, Part 6 and Title 40, Chapter 32, Part 1. by *Buck. (*SB759 by *Burchett)

Rep. Buck moved that House Bill No. 1445 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1445 by deleting SECTION 1 of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(a) is amended by adding the following as a new subdivision:

(5) All public records concerning an order of protection authorized by Tennessee Code Annotated, Title 36 Chapter 3, Part 6, which was successfully defended and denied by the court following a hearing conducted pursuant to §36-3-605, shall, upon petition by that person to the court denying such order, be removed and destroyed at a cost of fifty dollars (\$50.00) to such person.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 1445**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 965 -- Highways, Roads and Bridges - Requires department of transportation to secure approval of state building commission for road projects; allows commission to modify state highway and road designations. Amends TCA Title 4, Chapter 15; Title 54, Chapter 5 and Title 67, Chapter 3. by *Head. (*SB985 by *Springer)

Rep. Head moved that House Bill No. 965 be passed on third and final consideration.

Rep. U. Jones requested that State and Local Government Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. U. Jones moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 965 By deleting all of the language after the enacting clause of the printed bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, is amended by adding Sections 2 and 3 of this act as a new, appropriately designated part.

SECTION 2. The commissioner shall report quarterly to the state building commission on the status of road projects as approved by the general assembly as part of the department of transportation's budget or otherwise. The status report shall include a current list of projects being planned, projects under construction, and anticipated starting dates for projects not yet underway. In addition, the commissioner will report such other information as may be requested from time to time by the commission.

SECTION 3. Notwithstanding any other provision of the law to the contrary,

IF property is proposed for acquisition for right-of-way under the authority of this chapter; **AND IF**:

(1) the appraised value of a parcel of land along such right-of-way exceeds one hundred thousand dollars (\$100,000); or

(2) the appraised value of all parcels of land owned by any one person, family or entity along such right-of-way exceeds one hundred thousand dollars (\$100,000); **AND**

IF the department proposes to pay more than ten percent (10%) above the current appraised value; **THEN** such proposed payment must be approved by the commissioner of finance and administration and the comptroller of the treasury.

SECTION 4. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Head moved that **House Bill No. 965**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 207** -- Highways, Roads and Bridges - Requires all department of transportation projects to be approved in advance by state building commission. Amends TCA Title 4, Chapter 15; Title 54, Chapter 5 and Title 67, Chapter 3. by *Head. (SB206 by *Springer)

Rep. Head moved that House Bill No. 207 be passed on third and final consideration.

Rep. Robinson requested that Transportation Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. Robinson moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 207 By deleting all of the language after the enacting clause of the printed bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, is amended by adding Sections 2 and 3 of this act as a new, appropriately designated part.

SECTION 2. The commissioner shall report quarterly to the state building commission on the status of road projects as approved by the general assembly as part of the department of transportation's budget or otherwise. The status report shall include a current list of projects being planned, projects under construction, and anticipated starting dates for projects not yet underway. In addition, the commissioner will report such other information as may be requested from time to time by the commission.

SECTION 3. Notwithstanding any other provision of the law to the contrary,

IF property is proposed for acquisition for right-of-way under the authority of this chapter; **AND IF**:

(1) the appraised value of a parcel of land along such right-of-way exceeds one hundred thousand dollars (\$100,000); or

(2) the appraised value of all parcels of land owned by any one person, family or entity along such right-of-way exceeds one hundred thousand dollars (\$100,000); **AND**

IF the department proposes to pay more than ten percent (10%) above the current appraised value; **THEN** such proposed payment must be approved by the commissioner of finance and administration and the comptroller of the treasury.

SECTION 4. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Head moved that **House Bill No. 207**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 507** -- Contractors - Authorizes state board for licensing contractors to suspend or revoke license or renewal of license for failure of contractor to pay subcontractors in accordance with contracts or agreements between contractor and subcontractor. Amends TCA Title 62, Chapter 6. by *Head. (SB904 by *Rochelle)

Rep. Head moved that House Bill No. 507 be reset for the Regular Calendar on May 12, 1999, which motion prevailed.

House Bill No. 1145 -- Hospitals and Health Care Facilities - Deletes sunset provision of July 1, 1999, and continues present law structure for charges for hospital medical records; requires rates to be adjusted on July 1, 2000, and annually thereafter based on CPI that measures average changes in prices and goods and services purchased by urban wage earners and clerical workers' families and single workers living alone. Amends TCA Section 68-11-304. by *McMillan. (*SB842 by *Fowler)

Rep. McMillan moved that House Bill No. 1145 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1145 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-304(a), is amended by adding a new appropriately designated subpart as follows:

() Nothing in this section shall be construed as prohibiting a hospital from charging the actual costs of postage in addition to charges otherwise permitted by this section.

SECTION 2. Tennessee Code Annotated, Section 68-11-304, is amended by adding the following as an new appropriately designated subsection:

() Prior to January 1, 2000 the department of human services shall request from the Social Security Administration increased funding relative to medical records requested by the department to determine eligibility of persons for Social Security disability benefits, so that the reimbursement rates paid for such records shall be consistent with the rates permitted under item (a)(2)(A)(iii) above.

SECTION 3. Tennessee Code Annotated, Section 68-11-304(a)(2)(A)(iii), is amended by deleting the last sentence of the item.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. McMillan moved that **House Bill No. 1145**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1167 -- Insurance, Health, Accident - Provides that deductible of \$200 does not apply under uninsured motor vehicle coverage if vehicle involved in accident is insured by same carrier for collision and uninsured property damage and operator of other vehicle admits fault to law enforcement officer at accident scene. Amends TCA Section 56-7-1202 and Section 56-7-1201. by *McMillan. (*SB1357 by *Cohen)

On motion, House Bill No. 1167 was made to conform with **Senate Bill No. 1357**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 1357 be passed on third and final consideration.

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On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 1357** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95

Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1438 -- Criminal Offenses - Makes interference with any civil process server Class B misdemeanor unless offender uses a deadly weapon to interfere with process server, in which event Class A misdemeanor. Amends TCA Section 39-16-602. by *Jackson. (*SB24 by *Cohen)

On motion, House Bill No. 1438 was made to conform with **Senate Bill No. 24**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 24 be passed on third and final consideration.

On motion, Rep. McMillan withdrew Judiciary Committee Amendment No. 1.

Rep. Jackson moved that **Senate Bill No. 24** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95

Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 192 -- Traffic Safety - Increases from six to 12 years age of children prohibited from riding in back of pickup trucks on state highways. Amends TCA 55-8-189. by *Kisber, *Caldwell. (*SB7 by *Cooper, *Rochelle, *Burks, *Kurita)

On motion, House Bill No. 192 was made to conform with **Senate Bill No. 7**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 7 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Tidwell moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 7 By deleting all of the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-189, is amended by deleting the section in its entirety and by substituting instead the following:

Section 55-8-189.

(a) A person commits an offense who, on the streets of any municipality, roads of any county, or the highways of this state, transports a child under six (6) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter (¾) ton and having a pickup body style.

(b)(1) A person commits an offense who, on any interstate defense highway or state highway, transports a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter (¾) ton and having a pickup body style.

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(2) A city or county may prohibit, by ordinance or resolution, a person from transporting a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter ($\frac{3}{4}$) ton and having a pickup body style on city or county roads or highways.

(c) The provisions of this section do not apply to a person transporting such child in the bed of such vehicle when such vehicle is being used as part of an organized parade, procession, or other ceremonial event, and when such vehicle is not exceeding the speed of twenty miles per hour (20 mph).

(d) The provisions of this section do not apply when the child being transported is involved in agricultural activities.

(e) A violation of subsections (a) or (b)(1) is a Class C misdemeanor.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

Rep. Kisber moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	40
Noes	51
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Bowers, Briley, Brooks, Brown, Caldwell, Chumney, Cole (Dyer), DeBerry J., DeBerry L., Fitzhugh, Fowlkes, Harwell, Hood, Jones S., Jones U., Kisber, Lewis, Maddox, McDonald, McMillan, Montgomery, Odom, Phelan, Pleasant, Pruitt, Rinks, Robinson, Sargent, Scroggs, Tindell, Turner (Hamilton), Turner (Shelby), Walker, West, Williams, Mr. Speaker Naifeh -- 40.

Representatives voting no were: Baird, Beavers, Black, Boyer, Buck, Bunch, Buttry, Cole (Carter), Cooper, Curtiss, Davidson, Davis (Washington), Dunn, Ferguson, Ford, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Head, Kent, Kernell, Kerr, McAfee, McCord, McDaniel, McKee, Miller, Mumpower, Newton, Patton, Phillips, Pinion, Rhinehart, Ridgeway, Sands, Sharp, Stulce, Tidwell, Todd, Towns, Walley, Westmoreland, White, Whitson, Windle, Winningham, Wood -- 51.

Representatives present and not voting were: Jackson -- 1.

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Rep. Kisber moved that Senate Bill No. 7 be reset for the Regular Calendar on May 17, 1999, which motion prevailed.

***House Bill No. 1478** -- Election Laws - Authorizes county election commission to transfer registration when voter moves outside precinct in which such voter is registered when certain conditions are met. Amends TCA Title 2, Chapter 2 and Title 2, Chapter 7. by *Jones, S.. (SB1857 by *Haynes)

Further consideration of House Bill No. 1478 previously considered on May 3, 1999 and May 5, 1999, at which time it was reset for today's Calendar.

Rep. S. Jones moved that **House Bill No. 1478** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 1650** -- Landlord and Tenant - Authorizes landlords to tow or otherwise remove certain vehicles from real property rented or leased for residential purposes for certain traffic, parking and nuisance violations; deletes present law on subject Amends TCA Title 55, Chapter 16 and Title 66, Chapter 28. by *Williams (Williamson). (SB1851 by *Ramsey)

Rep. Williams moved that House Bill No. 1650 be reset for the Regular Calendar on May 17, 1999, which motion prevailed.

***House Joint Resolution No. 2** -- Constitutional Amendments - Empowers general assembly to authorize state lottery for state purposes only and no other purpose; net proceeds to be allocated solely to scholarship fund established and implemented by general assembly for tuition costs for Tennessee residents at Tennessee post-secondary institutions. by *Newton, *Williams (Williamson), *Kernell.

Further consideration of House Joint Resolution No. 2 previously considered on May 5, 1999, at which time the House adopted Amendment No. 1 and on May 6, 1999, at which time it was reset for today's Calendar.

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Rep. Newton requested that the Clerk read House Joint Resolution No. 2, as amended, for the third reading according to the Tennessee Constitution.

The Clerk read House Joint Resolution No. 2, as amended.

Rep. Newton moved that **House Joint Resolution No. 2**, as amended, be adopted, which motion prevailed by the following vote:

Ayes	77
Noes	17
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Lewis, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Robinson, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, West, Westmoreland, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 77.

Representatives voting no were: Baird, Beavers, Bittle, Dunn, Fitzhugh, Goins, Gunnels, Kerr, Maddox, Mumpower, Phillips, Roach, Sands, Sharp, Walley, Whitson, Wood -- 17.

Representatives present and not voting were: Boyer -- 1.

House Joint Resolution No. 2, having been read three times on three separate days, and having received a constitutional majority pursuant to **Article 11, Section 3** of the constitution of the state of Tennessee, was adopted.

Without objection, the motion to reconsider was tabled.

***House Bill No. 325** -- Workers' Compensation - Authorizes injured employee to file workers' compensation claim in employee's county of residence or county in which accident occurred. Amends TCA Section 50-6-225. by *Buck. (SB427 by *Haynes)

On motion, House Bill No. 325 was made to conform with **Senate Bill No. 427**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 427 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 427 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-225, is amended by deleting subsections (a), (b), (c) and (d) in their entirety and by substituting instead the following:

(a)(1) In case of a dispute over or failure to agree upon compensation under the Workers' Compensation Law between the employer and employee or the dependents of the employee, either party may file a civil action in the circuit, criminal, or chancery court in the county in which the employee resides or in which the alleged injury occurred. In instances where the employee resides outside the state of Tennessee and where the injury occurs outside the state of Tennessee, then the complaint shall be filed in any county where the employer maintains an office.

(2) Neither party in a civil action filed pursuant to this section shall have the right to demand a jury.

(b) The Tennessee Rules of Civil Procedure and the Tennessee Rules of Evidence shall apply to all civil actions filed pursuant to this section.

(c) Unless required to be filed by an earlier date as a result of discovery requests pursuant to the Tennessee Rules of Civil Procedure, within sixty (60) days after the filing of an answer in an action under this section, the employer shall file with the court a wage statement detailing the employee's wages for the previous fifty-two (52) weeks, unless the employer stipulates that the maximum weekly workers' compensation rate applies in the particular action.

(d) Whenever any civil action is brought pursuant to this section, the judge or chancellor may, if the judge or chancellor so desires, visit the scene of the accident and examine the surroundings.

SECTION 2. Tennessee Code Annotated, Section 50-6-225, is amended by deleting subsection (g) in its entirety and renumbering the remaining subsections accordingly.

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Buck moved that **Senate Bill No. 427**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

MONDAY, MAY 10, 1999 -- TWENTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 751 -- Workers' Compensation - Requires department of labor to provide information to employers related to utilization review system required under TCA 50-6-124. Amends TCA Title 50, Chapter 6. by *Buck. (*SB531 by *Crutchfield)

On motion, House Bill No. 751 was made to conform with **Senate Bill No. 531**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 531 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 531 by adding the following section immediately preceding the last section and appropriately renumbering the subsequent section:

SECTION ____ Tennessee Code Annotated, Section 50-6-233(a) is amended by adding the following, appropriately designated subdivision:

(_) The commissioner shall modify Form #C32 to include a location for a health care provider to indicate temporary total disability and the point at which the employee reached maximum medical improvement.

On motion, Consumer and Employee Affairs Committee Amendment No. 2 was adopted.

Rep. Buck moved that **Senate Bill No. 531**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

MONDAY, MAY 10, 1999 -- TWENTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 753 -- Workers' Compensation - Authorizes workers' compensation specialist to order retroactive payment of benefits. Amends TCA Title 50, Chapter 6. by *Buck. (*SB616 by *Haynes)

On motion, House Bill No. 753 was made to conform with **Senate Bill No. 616**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 616 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 616 by adding the following section immediately preceding the last section and appropriately renumbering the subsequent section:

SECTION ____ Tennessee Code Annotated, Section 50-6-233(a) is amended by adding the following, appropriately designated subdivision:

(_) The commissioner shall modify Form #C32 to include a location for a health care provider to indicate temporary total disability and the point at which the employee reached maximum medical improvement.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Jackson moved the previous question, which motion prevailed.

Rep. Buck moved that **Senate Bill No. 616**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

MONDAY, MAY 10, 1999 -- TWENTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniell, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Baird, Caldwell -- 2.

A motion to reconsider was tabled.

House Bill No. 1179 -- Products Liability - Conforms limitations period in which products liability action must be filed to limitations period set forth in federal products liability legislation if such legislation is enacted; limitations period does not apply to suits involving use of alcohol or tobacco. Amends TCA Title 29, Chapter 28, Part 1. by *Buck. (*SB289 by *Crutchfield)

Rep. Buck moved that **House Bill No. 1179** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	0
Present and not voting	12

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Goins, Gunnels, Hagood, Hargett, Hargrove, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Lewis, McAfee, McDaniell, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 84.

Representatives present and not voting were: Brooks, Caldwell, Chumney, Cooper, Fitzhugh, Godsey, Harwell, Kernell, Maddox, McCord, McDonald, Turner (Shelby) -- 12.

A motion to reconsider was tabled.

House Bill No. 1442 -- Firearms and Ammunition - Makes failure to report minor's possession of firearm on school property Class A misdemeanor. Amends TCA Title 39, Chapter 17. by *Chumney, *Ferguson. (*SB1187 by *Cohen)

Rep. Chumney moved that House Bill No. 1442 be reset for the Regular Calendar on May 12, 1999, which motion prevailed.

MONDAY, MAY 10, 1999 -- TWENTY-EIGHTH LEGISLATIVE DAY

House Bill No. 1751 -- Education - Provides that children of teachers shall be allowed to attend school at which such parent teaches. Amends TCA Section 49-6-3113. by *Hagood. (*SB1662 by *Burchett)

Rep. Hagood moved that House Bill No. 1751 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1751 by adding the following new section to be appropriately designated:

SECTION ___. (a) The provisions of this act shall not apply to children of teachers teaching at magnet schools

(b) If a teacher teaches at a grade or grades specific school and a child of that teacher is not within that age group, that teacher's child shall be eligible to attend a school of appropriate grade within the local education agency by which the parent is employed.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Hagood moved that House Bill No. 1751 be reset for the Regular Calendar on May 17, 1999, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

On motion of Rep. Hargrove, the rules were suspended for **House Bill No. 147** to be heard by the full State and Local Government Committee.

RULES SUSPENDED

On motion of Rep. Hargrove, and seconded by Rep. McDaniel, the following rules were suspended, without objection, for the remainder of the 1999 Legislative Session:

Rule No. 80(1): so that all bills reported out of subcommittee can be heard on the next full committee calendar without waiting a week;

Rule No. 80(1): so that all bills reported out of committee can be heard in the next committee or subcommittee without waiting a week.

RULES SUSPENDED

On motion of Rep. Hargrove, the rules were suspended to allow House Bill(s) No(s). 1387, 1361 and 1800 be heard in the following committees:

House Bill No. 1387 -- House Judiciary Committee

House Bill No. 1361 -- House State and Local Government Committee

House Bill No. 1800 -- House Health and Human Resources Committee

ANNOUNCEMENTS

Rep. Buck announced that **House Bill No. 420** would be moved from the Criminal Subcommittee to the Civil Subcommittee of the Judiciary Committee.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 592: Rep(s). McAfee as prime sponsor(s).

House Bill No. 861: Rep(s). Head as prime sponsor(s).

House Bill No. 1311: Rep(s). Head as prime sponsor(s).

House Bill No. 1486: Rep(s). Bone as prime sponsor(s).

House Bill No. 1512: Rep(s). Ridgeway, Dunn and Eckles as prime sponsor(s).

House Bill No. 1540: Rep(s). Cole (Dyer) as prime sponsor(s).

House Bill No. 1696: Rep(s). Ford, S. Jones, Jackson and Hargett as prime sponsor(s).

House Bill No. 1730: Rep(s). Caldwell as prime sponsor(s).

SIGNED May 10, 1999

The Speaker signed the following: Senate Bill(s) No(s). 386, 877, 1029, 1455 and 1784; also, Senate Joint Resolution(s) No(s). 212, 213, 214, 215, 217, 218, 219, 226 and 257.

MONDAY, MAY 10, 1999 -- TWENTY-EIGHTH LEGISLATIVE DAY

ENGROSSED BILLS

May 10, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 985.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 195.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 1, 2, 3, 4 and 5.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 985; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1404; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 73, 206, 207, 208, 210, 212 and 216; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 443 and 802; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MONDAY, MAY 10, 1999 -- TWENTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 297; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 321; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

May 10, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 207, 893, 965, 1145, 1179, 1194, 1195, 1295, 1328, 1444, 1445, 1464, 1478, 1517, 1725, 1850, 1968, 1970 and 1971, also, House Joint Resolution(s) No(s) 101, 121, 136, 177 and 205.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 2:00 p.m., Wednesday, May 12, 1999.